

Our Ref: IM-FOI-2022-0917
Date: 12th May 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

A breakdown of all the incidents when your police force stopped a work party/ fined people for breaking rules linked to coronavirus lockdowns on construction sites specifically since 1 March 2020. This should include the day when the event was broken up, whether anyone was arrested or fined (and if so, how much they were fined), how many people were present at the rule-breaking event, how many of them faced police repercussions, what exactly those repercussions were. This should include all the data up to the date of your reply.

In response to this question, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, the crime recording system used has no markers, flags etc. available which would allow for this level of information to be automatically retrieved.

The only way to determine whether the locus was on a construction site would be to individually review the circumstances of each and every case, from March 2020 to date, including examining Police Officer notebooks - an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To be of some assistance however, statistics regarding Police Scotland's response to Covid-19 are publicly available on our website, via the following link:-

[Enforcement and response data - Police Scotland](#)

Should you require any further assistance please contact Information Management Dundee, quoting the reference number given.

OFFICIAL

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.